

February 4, 2004 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

04AN0192

Carr LLC

Matoaca Magisterial District
5400 Commonwealth Centre Parkway

REQUEST: A twenty-three (23) parking space Variance to the 160 parking space requirement in a light industrial (I-1) District.

RECOMMENDATION

Recommend denial of this request for the following reasons:

- A. Staff finds there are no extraordinary circumstances or conditions applying to this property which do not apply generally to all other properties in the immediate area.
- B. An alternative exists to this request.
- C. The Variance is not in accord with the spirit and intent of the Zoning Ordinance.

GENERAL INFORMATION

Location:

Property is located at 5400 Commonwealth Centre Parkway. Tax ID 736-675-part of 8568 (Sheet 16).

Existing Zoning:

I-1

Size:

19.6 acres

Existing Land Use:

Unimproved

Adjacent Zoning and Land Use:

North - C-4 and I-1; Commercial, residential and vacant
South - A, C-4 and I-1; Semi-public (Church), residential and vacant
East - A, C-4 and R-9; Residential and vacant
West - C-4 and I-1; Vacant

Utilities:

Public water and sewer

General Plan:

(Upper Swift Creek Plan)

Regional mixed use

DISCUSSION

The applicant is proposing to construct an indoor sports facility. The applicant has indicated the proposed indoor sports arena will be 32,000 square feet. The Zoning Ordinance requires 160 parking spaces for this use. The preliminary plan identifies 160 parking spaces (see attached plat). The applicant is requesting a twenty-three (23) parking space Variance.

The applicant offers the following justification in support of this request:

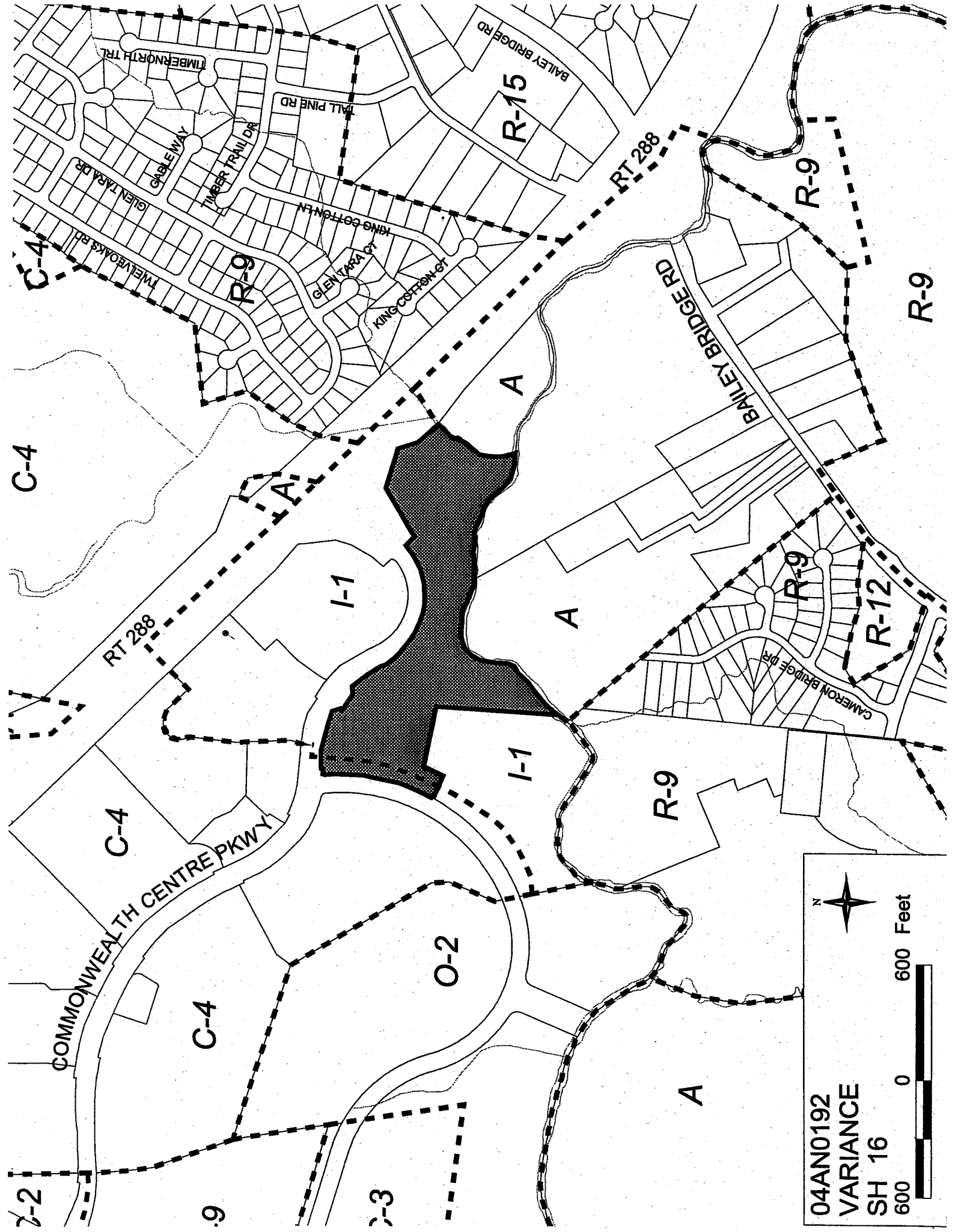
The facility is planned to be a roller hockey rink. Hockey is played in league format and each player must be a member. The owner operates a similar facility already and in his experience parking required by Code far exceeds requirements of owner's operation – presently uses fifty (50) spaces maximum. The parking reduction will have no detrimental effect on any adjacent property. The land originally intended for parking is in the most remote part of the property. The land will be leveled, grassed and will be available as overflow parking if ever required. The land will be used for recreational uses when not used as overflow parking.

Staff has reviewed the attached site plan and application. Staff notes the graphics reflect 161 parking spaces. The applicant has indicated they plan on leveling and seeding but not paving, twenty-four (24) parking spaces of the parking lot.

As required by the Zoning Ordinance, the applicant has provided no information which would serve as a basis for granting this Variance. Staff finds no physical surroundings, shape or topographical conditions on the property which would present a particular hardship if this Variance were denied. Staff finds no conditions upon which this request is based which are unique to the property and do not apply generally to other properties in the area.

Staff believes that an alternative exists to this request which does not violate parking space requirements. The applicant's site plan reflects the required parking space. If the applicant were to pave the twenty-four (24) spaces shown on the site plan it would eliminate the need for this request.

Staff believes that an alternative exists to this request and it is based on financial consideration rather than physical hardship, or other conditions which are not applicable to other property in the area. Therefore, staff cannot support this request.



04AN0192
VARIANCE
SH 16



